

In The Court Of Appeal Of The State Of California 140
Sixth Appellate District
San Jose, California

MONDAY, JULY 29, 2002

H022596 PEOPLE v. HERNANDEZ

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed July 29, 2002

H022964 PEOPLE v. GOODMAN

The judgment is affirmed. (not published)
(Rushing, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)
Filed July 29, 2002

H022862 SANTA CLARA VALLEY TRANSPORTATION AUTHORITY v. JOHN
ARRILLAGA, et al.

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed July 29, 2002

H022288 DASHIELL v. DIVCOWEST GROUP, et al.

H022763 DASHIELL v. DIVCOWEST GROUP, et al.

The superior court's order denying defendants' CCP section 425.16 motion is affirmed. Plaintiff's purported appeal from the superior court's order denying her motion for attorney's fees and costs incurred in opposing defendants' unsuccessful motion is dismissed because the court's order was not appealable. Defendants' motion for sanctions on appeal is denied. Plaintiff shall recover her appellate costs in defending against defendants' appeal. Defendants shall recover their appellate costs in defending against purported appeal. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing, J.)
Filed July 29, 2002

Sixth Appellate District

San Jose, California

TUESDAY, JULY 30, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; Rushing, J.; and W. Magsaysay, Deputy Clerk.

H021769 IN RE SERGIO G. A MINOR

Cause called and argued by Jonathan Grosman appearing for Appellant and by Jeffrey M. Bryant, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021770 IN RE PEDRO G., A MINOR

Cause called and argued by Ann Vandepol appearing for Appellant and by Jeffrey M. Bryant, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021725 IN RE ANGEL G., A MINOR

Cause called and argued by Donn Ginoza appearing for Appellant and by Jeffrey M. Bryant, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021884 IN RE DIEGO G., A MINOR

Cause called and argued by R. Charles Johnson appearing for Appellant and by Jeffrey M. Bryant, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021728 IN RE JOSE E., A MINOR

Cause called and argued by William Parks appearing for Appellant and by Jeffrey M. Bryant, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022634 PEOPLE v. JONES

Cause called and argued by Paul Couenhoven appearing for Appellant and by Bridget Billeter, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Justice Mihara leaves the bench. Justice Wunderlich is the new panel member.

In The Court Of Appeal Of The State Of California 142
Sixth Appellate District
San Jose, California

TUESDAY, JULY 30, 2002 (continued)

H020580 IN RE DONALD S., A MINOR

Cause called and argued by Michael Kresser appearing for Appellant and by Gerald A. Engler, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021708 CONSOLIDATED STRUCTURAL MATERIALS, INC., et al. v. STATE
 COMPENSATION INSURANCE FUND, et al.

Cause called and argued by Randall Creech appearing for Appellants, by Paul E. B. Glad, appearing for Respondent State Compensation Insurance Fund and by Wallace M. Tice appearing for Respondent Royal Insurance Company. Cause ordered submitted.

H021925 MARRIAGE OF NORVIEL

Cause called and argued by Paige Leslie Wickland appearing for Appellant and by E. Elizabeth Summers appearing for Respondent. Cause ordered submitted. Justice Rushing leaves the bench. Justice Elia is the new panel member.

H022262 FORMOSA INVESTMENT GROUP, INC., et al. v. NOR-CAL
 DEVELOPMENT GROUP, INC., et al.

Cause called and argued by George E. Williamson appearing for Appellants and by Jeffrey M. Lopez appearing for Respondents. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; Rushing, J.; and R.W. Norvelle, Deputy Clerk.

H023080 IN RE GEORGE T., A MINOR

Cause called and argued by Michael Kresser appearing for Appellant and by Violet Lee, Deputy Attorney general appearing for Respondent. Cause ordered submitted.

In The Court Of Appeal Of The State Of California 143
Sixth Appellate District
San Jose, California

TUESDAY, JULY 30, 2002 (continued)

H021807 PEOPLE v. RIVERA

Cause called and argued by Barbara Michel appearing for Appellant Bertha Ruiz, by Ozro Childs appearing for Appellant Manuel Ruiz and by Christopher J. Wei, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020516 PEOPLE v. LONG

Cause called and argued by Susan Keiser appearing for Appellant and by Gerald A. Engler, Deputy Attorney General appearing for Respondent. Cause ordered submitted.

H021030 PEOPLE v. TAASE, et al.

Cause called and argued by Lori Quick appearing for Appellant Taase, by Eric Multhaup appearing for Appellant Toa and by Bridget Billeter, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H023083 MARTIN v. SANTA CLARA UNIFIED SCHOOL DISTRICT

Cause called and argued by Richard M. Noack appearing for Appellant and by Peter Chang appearing for Respondent. Cause ordered submitted.

Court adjourns.

In The Court Of Appeal Of The State Of California 144
Sixth Appellate District
San Jose, California

WEDNESDAY, JULY 31, 2002

H021157 VARR v. OLIMPIA, et al.

By the Court*:

The petition for rehearing by appellants Olimpia, et al. is denied.

Filed: July 31, 2002

*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and Rushing, J.

H021419 PEOPLE v. MCCARTHY

The judgment is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed July 31, 2002

H023039 PEOPLE v. CONSTANTINO

The restitution fine of \$1,200 is stricken and the judgment is modified to reflect a restitution fine of \$200. As so modified, the judgment is affirmed. (not published)

(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing, J.)

Filed July 31, 2002

H022003 PEOPLE v. GANT

The order and judgment appealed from are affirmed. (not published)

(Rushing, J.; I concur: Bamattre-Manoukian, Acting P.J.; I concur in the judgment only: Mihara, J.)

Filed July 31, 2002

In The Court Of Appeal Of The State Of California 145
Sixth Appellate District
San Jose, California

THURSDAY, AUGUST 01, 2002

H020638 PEOPLE v. VALLE, et al.

By the Court*:

Appellant Valle's petition for rehearing joined in by appellant Hernandez is denied.

Filed: August 1, 2002

*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and Rushing, J.

H022226 PEOPLE v. HERNANDEZ

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed August 1, 2002

H023541 PEOPLE v. GUAJARDO

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed August 1, 2002

H023514 PEOPLE v. CHUNG

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed August 1, 2002

H023111 COALITION OF CITY UNIONS v. CITY OF SAN JOSE

For the above reasons, we affirm the judgment. (not published)

(Rushing, J.; I concur: Bamattre-Manoukian, Acting P.J.; I concur in the judgment only: Mihara, J.)

Filed August 1, 2002

H023689 NAESS, et al. v. CITY OF SAN JOSE

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed August 1, 2002

In The Court Of Appeal Of The State Of California 146
Sixth Appellate District
San Jose, California

THURSDAY, AUGUST 1, 2002 (continued)

H023068 PEOPLE v. MCGHEE

 The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed August 1, 2002

H022812 PEOPLE v. SCOTT

 The judgment is affirmed. (partial publication)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed August 1, 2002

H023249 SANTA CLARA COUNTY DEPARTMENT OF FAMILY AND CHILDREN'S
SERVICES v. KELLY M.

H022609 SANTA CLARA COUNTY DEPARTMENT OF FAMILY AND CHILDREN'S
SERVICES v. KELLY M.

 The order appealed from in H023249 is affirmed. The order
appealed from in H022609 is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed August 1, 2002

In The Court Of Appeal Of The State Of California 147
Sixth Appellate District
San Jose, California

FRIDAY, AUGUST 02, 2002

H022587 PEOPLE v. FISHER

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing,
J.)
Filed August 2, 2002

H023088 PEOPLE v. TUPOU

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed August 2, 2002

H023010 ATWATER, et al. v. LAW OFFICES OF CHILTON H. LEE, et al.

The judgment is reversed, and the superior court is directed
to vacate its order granting defendants' summary judgment motion
and to enter a new order denying their motion. Plaintiffs shall
recover their costs. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing,
J.)
Filed August 2, 2002

H022421 WHEALTON v. ALLEN

The judgment of the trial court is affirmed. Whealton's
request for sanctions is denied. Whealton shall recover his
costs on appeal. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed August 2, 2002